

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM E. CURRY, :
: Plaintiff, : CIVIL ACTION NO. 18-5444
v. :
: CO MCCANN, WARDEN BYRNES, :
: GEORGE W. HILL CORRECTIONAL :
: FACILITY, and GEO GROUP, INC., :
: Defendants. :
:

ORDER

AND NOW, this 2nd day of January, 2019, after considering the application for leave to proceed *in forma pauperis*, complaint, and inmate trust account statement filed by the *pro se* plaintiff, William E. Curry (“Curry”) (Doc. Nos. 1–3); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The application for leave to proceed *in forma pauperis* (Doc. No. 1) is **GRANTED** and Curry has leave to proceed *in forma pauperis*;
2. Curry, #18007809, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information Curry has provided, the court assesses an initial partial filing fee of \$10.78. The appropriate official at the George W. Hill Correctional Facility or at any other prison at which Curry may be incarcerated is directed to deduct \$10.07 from Curry’s inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 18-5444. After the initial partial filing fee is collected and until the full filing fee is paid, the appropriate official at the George W. Hill Correctional Facility or at any other prison at which

Curry may be incarcerated, shall deduct from Curry's account, each time that Curry's inmate trust fund account exceeds \$10.00, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 18-5444;

3. The Clerk of Court is **DIRECTED** to send a copy of this order to the Warden of the George W. Hill Correctional Facility;

4. The complaint (Doc. No. 2) is **DEEMED** filed;

5. The Clerk of Court is **DIRECTED** to add the CID Department to the docket as a defendant in this matter;

6. Curry's claims against the George W. Hill Correctional Facility are **DISMISSED WITH PREJUDICE**;

7. Curry's claims against Warden Byrnes and the GEO Group are **DISMISSED WITHOUT PREJUDICE**;

8. Curry's claims against C.O. McCann based on the conditions of Curry's confinement are **DISMISSED WITHOUT PREJUDICE**;

9. Curry's claims against C.O. McCann regarding C.O. McCann purportedly violating Curry's rights by falsely telling the CID Department that drugs were found in Curry's pants pocket during a strip search at GWHCF, which led to the initiation of criminal proceedings against Curry, are **STAYED** until Curry informs the court that his criminal case has been resolved, including all available appellate proceedings; and

10. The Clerk of Court is **DIRECTED** to place this matter in **CIVIL SUSPENSE** until further order of court.

BY THE COURT:

/s/ *Edward G. Smith*
EDWARD G. SMITH, J.